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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,946	04/30/2001	Bradley S. Carlson	032230-032	8631

7590 02/01/2005
Samuel C. Miller
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, VA 22313-1404

EXAMINER

CAPUTO, LISA M

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 02/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

9

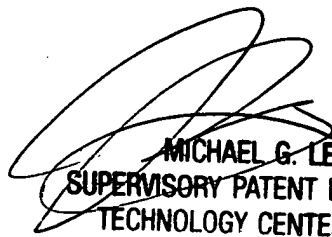
Notice of Abandonment	Application No.	Applicant(s)	
	09/843,946	CARLSON ET AL.	
	Examiner	Art Unit	
	Lisa M Caputo	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 13 July 2004.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

See Continuation Sheet


MICHAEL G. LEE
 SUPERVISORY PATENT EXAMINER
 TECHNOLOGY CENTER 2800

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Item 7 - Other reasons for holding abandonment: Examiner Lisa Caputo contacted attorney of record Samuel Miller (Reg. No. 27,360) of Burns, Doane, Swecker and Mathis on January 18, 2005 to check the status of the case since a reply was overdue. Mr. Miller put the examiner in contact with Aaron Bernstein (Reg. No. 36,745), the Director of IP at Symbol Technology who was going to check on the status of the case. On January 19, 2005, the examiner received a call from George Likourezos (Reg. No. 40,067) regarding the case 09/834,946. Upon returning the call, the examiner pointed out that the case in question was 09/843,946. Mr. Likourezos indicated that a reply had been filed in error to the case 09/834,946, not the correct case 09/843,946. Mr. Likourezos faxed the examiner a copy of the reply, with the incorrect number crossed out and the correct number written beside it on January 19, 2005. After consultation with the supervisor, Mr. Michael Lee, the case has abandoned status since a timely reply was not filed. Examiner alerted attorney that the case is abandoned and that a petition would be necessary to revive the case. See also attached interview summary.